

Message Text

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ACTION EUR-12

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SUBJ: LABOR STOPPAGES AFFECTING HOST NATION SUPPORT

REF: CINCUSAREUR 221001Z APR 77(NOTAL)

1. OTHER THAN THROUGH THE MECHANISM OF COURT INJUNCTIONS,
DUTCH LAW DOES NOT PROVIDE FOR INTERFERENCE IN NORMAL LABOR
DISPUTES. IN THE ABSENCE OF A STATE OF EMERGENCY OR WAR,
DUTCH COURTS WOULD NOT LIKELY INTERVENE TO FORCE WORKERS BACK
ON THE JOB, EXCEPT FOR LIMITED PERIODS. IN PEACETIME, AN
INJUNCTION MAY BE ORDERED BY THE COURTS IF IT IS FELT THAT
LABOR AND MANAGEMENT HAVE FAILED TO EXHAUST POSSIBILITIES FOR
CONCILIATION PRIOR TO TAKING STRIKE ACTION. COURTS HANDED
DOWN TIME LIMITED INJUNCTIONS IN A FEW CASES DURING RECENT
STRIKE IN THE NETHERLANDS.

2. GON HAS A SERIES OF "EMERGENCY LAWS" ON THE BOOK WHICH
CAN BE USED TO KEEP THE ECONOMY RUNNING AND VITAL GOODS MOVING.
DEFINITION OF AN EMERGENCY IS VAGUE AND MMOD LAWYERS
WE HAVE TALKED WITH ARE PESSIMISTIC THAT LAWS COULD
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EVER BE USED SHORT OF ALERT AND MOBILIZATION FOR WAR. LAWS
ARE TO BE USED "IN CASE OF WAR OR WAR DANGER".

3. EMERGENCY LAWS ON THE BOOKS INCLUDE INTERALIA, "DISTRIBU-
TION LAW", HARBOUR EMERGENCY LAW, EMERGENCY FOOD SUPPLY,
EMERGENCY LABOR SUPPLY, EMERGENCY TRANSPORTATION LAW,
SHIPPING, ETC. UNDER TERMS OF THESE LAWS, SPECIFIED WORKERS

CAN BE FORCED TO REMAIN ON THE JOB, MEANS OF TRANSPORTATION CAN BE COMMANDEERED, HARBOURS, AIRFIELDS AND RAILROADS CAN BE UTILIZED FOR NATIONAL INTEREST. ONE DRAWBACK WE HAVE HAD POINTED OUT IS THAT SHORT OF FULL WARTIME MOBILIZATION, LAWS REQUIRE CONSIDERABLE SPECIFICITY AND PROBABLY COULD NOT BE INVOKED FOR ENTIRE CLASS OF WORKERS.

4. AT MOMENT, THERE DOES NOT SEEM TO BE ANY COMPARABLE EMERGENCY LAW ON THE BOOKS WHICH WOULD PERMIT GOVERNMENTAL SEIZURE AND OPERATION OF INDUSTRIES. MOD LAWYERS INDICATED THAT MIN OF ECONOMIC AFFAIRS HAS HAD SUBJECT UNDER STUDY FOR SEVERAL YEARS. IT WILL BE SEVERAL YEARS MORE BEFORE ANY LEGISLATION IS PROPOSED.

5. ALTHOUGH POSSIBILITY EXISTS THAT STRIKES COULD HAVE DETRIMENTAL EFFECT ON USAREUR READINESS, GIVEN GEOGRAPHIC IMPORTANCE OF THE NETHERLANDS, RECORD TO DATE WOULD INDICATE OTHERWISE. WHILE NETHERLANDS HAS A LARGE ORGANIZED WORK FORCE, IT ALSO HAS A HISTORY OF LABOR PEACE. STRIKES IN FEBRUARY OF THIS YEAR WERE FIRST LARGE SCALE ACTIONS SINCE 1973. RECENT WALKOUTS, WHILE LARGE BY DUTCH STANDARDS, ONLY INVOLVED SOME 20-30,000 WORKERS. EFFECTIVENESS OF ACTION WAS BASED ON ITS SELECTIVITY AND ON MANGEMENTS QUICK CAPITULATION. IN MOST ASPECTS OF DUTCH LIFE COMPROMISE AND REASON GENERALLY PREVAIL. THAT WILLINGNESS TO TALK THINGS OUT AND TO SEEK MUTUALLY ACCEPTABLE SOLUTIONS ALSO EXTENDS TO LABOR/MANAGEMENT DISPUTES. AS A RESULT, STRIKES ARE A RARITY, NOT A RULE.

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